

try, without support, or revenue. I am sure, affords no such pretension; nor do I find any thing in your province to countenance a doctrine so absurd. You say, the established church; it may seem to be Caesar's friend—and what established church is it, that your friend? The church in England was established by the Act of Parliament, you say, was originally nullified, when and how the church, you establish.

I have made, to extricate yourselves have but plunged you deeper in see yourselves under the dilemma, that the Clergy of Maryland act per poll, by *laissez faire*, sacrifice of all your darling political, to submit to the imputations sagacies to you. Surely, it would be to you to have owned a trip is just, have been guilty of the weakness, the part of candid and honest authority, as to the right of taxation, 1704 and 1729. Both these Acts relate to the Act of 1701-2—the former speak of Vestries and Parishes, & of no Vestries or Parishes, but under. Hence, I infer, that the right to Vestrymen by these Acts, was under the Act of 1701-2; they could have no others in contemplation of the case. By what authority did you act? Will you say of them too, authority of the parishioners &c, usage and custom, beyond the memory of two years?

Vestry Book of St. Anne's.  
—(ominous, at the threshold!)

Rev. Mr. Jonathan Boucher quaraled with Mr. Paca, Mr. Woodward, sen. and jun., as Vestrymen of this parish, by several oaths required by Law, regarding the test, and oath of office, Assembly."

To the same purpose, respecting the 17th of June, 1770: and, indeed, been used, on the election of new vestries there have been vestries. It cannot, be deemed impudent in me, & of Assembly it was, that required oaths, before you could be admitted. And, as one of you qualified me, when I had the honour to be elected, I would ask also, by what authority Vestryman, and acted as such in as it is certain that neither your Vestryman, nor I, were nominated, by the Parishioners? And, finally, by what authority you have always paid it not under the authority of the & expressly supplementary to the un-

derstanding, with respect to the authority by the Act of 1729, they exercised in the matter? They judged, however, that I, and I leave it to them to say, or think you so, by Act of Assembly, by politics, do not readily enter into refinements; and I am perfectly sure, that they never, till now, of Vestrymen by Common Law. It appears of Talbot did not: for, nobody else does (the Lawyers excepted) tries to be derived from the Act of testing its validity, they exercised in the matter, as to refuse to affect the for, by the vestries of two parishes and, I am told, that the next proclamandum will be applied for, to commutes to a performance of their of-

points of view, in which I might be of your service: but, I forbear in Law, even you, Gentlemen, do not than I do; I hope it is not so, that I am not a Lawyer. I do not, that I have much reason to be diffident. I have taken in the question of presumed to controvert with you, though to see you triumphantly professed of my stock of legal knowledge, more, than my having proposed question you have not answered. However, you expressed for my judgment, which you publish your own, I evident: I knew not, into what labyrinth you might lead me, losing sight of my only guide. I therefore resolved how the Law stood in this case, and, took the opinion of a gentleman in abilities you will hardly deny. This truth, as soon as there can be room for, sneers and quibbles are all I dare in reply; but, for your own sake, not to read the opinion of a professed

what I said concerning the acts on, nor shall I quarrel with you for in point of fact, a but. You seem as arbitrary a dominion over Her Majesty's Law. I was seduced into the opinion clamour raised against a particular neighbouring county, for having given consideration, that all the arts of not laudably exerted to mislead the in good, when the important busines-

of electing is on the carpet; in the simplicity of my heart, I swallowed the tale.—Whether the Proclamation be, or be not, a legal act, it becomes not me to say; nor was it ever my aim, to enter into a controversy about it. But, I do aver, that it cannot be more illegal, than, on your own principles, your tax on the parishioners of St. Anne's.

In one of the queries, it is said, "Can you hereafter presume to place yourselves in a higher rank of patriotism, than those, &c?" To this you smartly answer, "Laudable charity; but, we question, whether the supreme Magistrate will accept of the nosegay." Now, until you can shew, that the plural relative, those, refers to the singular, supreme Magistrate, and not to Members, as the context and every rule of construction demand, some, perhaps, may think, that men so utterly unacquainted with the first principles of grammar, are but indifferently qualified to monopolize the privilege of figuring and capering on all legal, political, and constitutional questions. I join with you in questioning, whether the supreme Magistrate will accept the nosegay. Without any compliment to him, I may say, he knows better: he can read English, and can see, that it was not offered to him. On this subject of nosegays, on which you are so superabundantly smart, all I desire is, that any impartial man should cast his eye over your queries and mine, to determine which is the more plausibly selected with them; and, I appeal to the history of our lives, our characters, and our stations, to shew, whether you, or I, are more likely to pay court to the power of translation.

To the oft-repeated charge of being a Priest, what else can I say, but that I plead guilty? And, would to God my Order had no more cause to be ashamed of me, than I have to be ashamed of it! That I am a very uncharitable one, I would fain flatter myself is not so true; inasmuch as I am, charitably disposed to hope, that you are better men, than, with all my charity, I can think you are either writers, or politicians. What a compliment have you, unwittingly, I dare say, paid to my character, when the worst thing you can find to say of me, is, that I am a Priest, and, as such, joined in petitioning for a Bishop! But, have you not, think you, opened a little too often on this topic? I confess, it does not strike me, that there is much either of wit or argument in it. Nor do I, indeed, believe, that you are, at bottom, such very bitter enemies to Priests; or, at least, not to their offices; as, I observe, you can, you selves, both preach and pray, when it suits you. If, however, the specimen you have given me of your abilities in this way, be of your best, I am not so much your enemy, as to advise you to quit your own profession for mine; at least, not on your own quantum meruit plan. There are not, I believe, many Priests, who would have spoken of the Christian religion, and the Gospel of Christ, as of two different things; both of which you pray, may flourish, &c, "without the interposition of those infernal jurisdictions, spiritual cruelty, vengeance and inhumanity." May I have leave to ask, if either the Christian religion, or the Gospel of Christ can flourish with those infernal jurisdictions, &c? May I ask too, why, when you were praying for the triumphant ascendancy of the Common Law, you overlooked the Laws of our own Legislature? Why, this spite to them? They are not all of them Acts for the maintenance of an established Ministry. And, had you no fears, that, possibly, you might raise apprehensions in some such uncharitable people as I am, of your having a design to reduce our whole Body of Laws, as you have the Act of 1701-2, to Common Law, Common Right, Custom, and Usage, time out of mind? I am unwilling to dictate to any body, or even to intrude my advice, when it is not asked; but, as you are only in your novitiate, and it is my profession, I hope to be pardoned, if when, happily, another pious fit overtakes you, I take the liberty of recommending a text for the subject of your meditations; "Fear the Lord, honour the Priest, and give him his portion, as it is commanded you."

Priestly pride being a no less common sarcasm against our Order, than priestly implacability, I cannot be so selfish as not to acknowledge, that your letter affords instances of this goodly spirit, enough to shame the proudest of us all. The important monosyllable, *We*, triumphantly (another of your favourite words) stares us in the face, in almost every sentence; but never more triumphantly, than where you say, *We* and the People, an expression not to be matched, for its humbug, by any thing but the celebrated egotism of Wolsey, I, and my King. Even, the emphatical appropriation of the words, the Lawyer, to yourselves, as though all others were but petitfoggers and scriveners, is feeble in comparison with it.

For any jibes, or jeers thrown out against myself, I heed them not; my character they cannot hurt; yours they certainly will. But, I must be lost to every honest, every generous feeling, not to resent your slanderous calumny against my brethren. "The Clergy, in general of the Church of England have blown up a storm of oppression." *Gracious Heaven!* This too from Messrs. Chace and Paca!

"Quis tu eris *Gratior de seditione querentes?*" The temper and moderation of the Clergy, in vindicating their rights, have been as remarkable, as the arts you have made use of to inflame and mislead the people, have been unmanly and unfair. If, in any thing, they have been to blame, in my judgment, it has been in tamely submitting to the insults which you, and such as you, have of late so often offered to them. I do aver, moreover, on my own knowledge, that, miugre all your harangues and your publications, the Clergy have the sweet concordance of the voice of the men heretofore deemed the most sensible and moderate in the country, as well as of the gentlemen of the Bar, the most eminent for their abilities and candor, with respect to their claims. And, when the present political trencies are over, as every good man must pray they soon may be, your opinions and your projects will appear, as they are, the misshapen offspring of political perplexity and distress—the creatures of a day. But,

to return: general assertions need be refuted only by general negations. I do, therefore assert, that what you have alleged, against the Clergy in general, is untrue; and, I defy you to mention one Clergyman in the province, who, as Clergyman, has, in the small instance, blown up any storm of oppression, or been guilty of any illegal, arbitrary, or oppressive exactions.

Do you say thus much of the Lawyer?

You needed not so vauntingly to have reminded me, that your opinion is unanswered. I know that it has not been publicly answered, as well as I know, that it has been sufficiently refuted and exposed. There is, however, one way for you to obtain an answer; and which, having now so fair an occasion, I take the liberty most earnestly to recommend to you. Suits are commenced against some Sheriffs—against Mr. Clapham, in particular. He is willing, and the Clergy are willing, that these suits should come to immediate trial; whether they shall, or not, it seems, rests entirely with you. If, then, you really be the patriots you wish to be thought, approve yourselves such, by concurring in the necessary measures to obtain a speedy, and a definitive determination, of this unhappy dispute. It will leave this once happy country a world of mischief and confusion; and every friend to order and good government will thank you. But, why, Mr. Paca, do you boast that your opinion is unanswered; when, not long since, you acknowledged, that were you upon oath to give judgment upon the case, you should be at a loss, how to pronounce. Satisfied as you were, that the Clergy had no legal claim to the 40 per cent, from the Act of 1701, considered in itself, yet the aiding Acts of Assembly, you alleged, might be strongly argued in support of the claim. An opinion, whose author is so much at variance with it already, is of little consequence.

Doubtless my brethren of the Clergy will join with me in thanking the Lawyer for their charitable policy in keeping back their sentiments upon the forty per cent. Act. Pray, Gentlemen, do you call the giving written opinions, or the printing of such opinions both in prose and verse, keeping back your sentiments? But, you are happy in the knack of reconciling contradictions; and I doubt not your ability to reconcile this, as well as the strange contrariety of the sentiments so kept back.

You wrong yourselves, as well as me, in supposing, that resentment stimulated me to propose the Queries to you. I will give you the history of the occasion, as plainly, as it shall be truly. The Vestry of my parish met in November, as you did, to lay the parish levy; one of our number refused to act, alleging his incapacity; from the nullity of the Act of 1701-2. This, as is well be supposed, occasioned some little stir among us. Every body knew, that you took the lead amongst those who denied this Act to be in force; I knew you to be Vestrymen. Was it not then natural for me to enquire what had been your conduct on this occasion?

And now, Gentlemen, having gone through all that I conceive to be of importance in your letter, far more tediously, indeed than I could have wished, for which, however, the variety and abundance of matter, you were pleased to cut out for me, must plead my excuse, I hasten to release you. Heretofore, as the Echo only of what others had said, I but charged you with certain offences, charitably hoping, that you might have been able to have justified yourselves. Having fall in this, you must excuse me, if now I assume a more decisive tone; is, after a full and fair hearing of your defence, I step into the seat of judgment; and, on the clearer proofs, pronounce you guilty (on your own principles, and on those only) of an high infringement of this great constitutional right, of all others, perhaps, the most ineliminable, the taxing the people without their consent; illegally, arbitrarily, and op-

eratively, and acquit yourselves as you can.

I am, Gentlemen, your humble Servant,  
JONATHAN BOUCHER.

#### A C A R D.

THE EDITOR OF THE DISSIDENT does himself the honour to wish the INDEPENDENT FREEMAN a happy New-Year; and hopes to be believed, on his religious assurance, that he is so far from harbouring a malignant intention of filling up the measure of contempt, into which he has fallen, as a publick man and a writer, by passing him over with silent disregard, that he will, in due season, bestow some consolatory remarks on his labours. Both the impotence and rashness of his legal lucers at the whole body of Merchants shall be expatiated upon, with becoming moderation.

It is requested, on the same principle of delicacy and candor, for the blossoming minion of the Freeman's hopes, and creature of his forming hand, will not be grieved at his being totally dismissed from the scene. The Editor has neither leisure nor inclination to resume the rod for the correction of a child; and has learned, from authentic information, that it was, from the first, the scheme, that the lame brach which raised the bubble should dissolve it, after it had lived to fulfil all its purposes of diversion.

L O N D O N, November 3.

A CORRESPONDENT at Chatham assures us, that England never saw herself in possession of so many fine-line of battle ships in times of peace as at present, the number being little short of 80, but says, he must add a few melancholy truths, that timber fit for building large ships was never known so scarce, worse encouragement for good seamen, nor fewer of them in actual service; and concludes by remarking, that he knows 70 Lieutenants, of tried abilities, now either masters of trading vessels,

or in foreign employ, while a set of green puppies, and powdered macaronies, who do not know the name of a rope, are enjoying part, and in full career to the possession of the whole of those rewards, which are only due to long and meritorious service.

L I V E R P O O L, November 13.

Extract of a letter from Chester, November 10.

On Thursday night last, the 5th instant, the inhabitants of this city were thrown into the utmost consternation, by an instantaneous shock, supposed at first to have been occasioned by the violence of an earthquake, as the houses in every quarter of the town were shook to their foundations. vast multitudes, overwhelmed with surprise, immediately rushed into the streets and lanes, not knowing where to fly for safety, fearful of consequences which imagination depicted as big with every danger and distress. It was not long, however, before the real cause was known; and a scene of such complication misery presented itself that can hardly be exceeded by any instance recorded in history. The preceding day a quantity of gunpowder, upwards of eight hundred pounds weight, had been deposited in a warehouse in Water-street, under a building, known by the name of Eaton's Room, in which one Williams, the master of a puppet show, had for some time past exhibited his performance. The company which these idle amusements had drawn together on the fatal evening was very great (may such another evening never be known anywhere) and in the midst of their merriment, the powder, by what accident is not known, took fire, and in a moment most of the unhappy people were buried under a prodigious heap of ruins; so were thrown into neighbouring courts, scorched and confused, and a few, but very few, had the good fortune to escape with no other hurt than a slight burn, or a small scratch. The numbers that flocked from all parts to view the place, where destruction had so suddenly fallen upon the heads of many of their fellow citizens, stood amazed at the display of so much horror; but the groans and shrieks of the yet alive miserable sufferers, soon awaked their humanity. Every hand then lent a willing assistance; vast heaps of stone and timber were immediately removed, and the bodies that had any remains of life in them, as fast as they were raised from the ruins, were either carefully conveyed to their friends in the different parts of the city, or to that noble, that truly beneficial establishment, the general Infirmary, where the Physicians and Surgeons, uninfluenced by any other motive than the publick good, have so largely contributed, by their knowledge and affiduity in their several departments, to promote the design of so excellent a charity; stood ready to afford every possible relief to the miserable objects that were presented to them. It is impossible to come at the knowledge of the exact number of those who shared in this shocking calamity; the account on which we can most depend is, that the killed, and those since dead, amount to 23; and those that were much burnt, had combustions, or broken limbs, to 80, most of which are likely to recover. Williams himself, his wife, and three or four of the same family, are of the number of the dead. Several promising youths are alike lost to their parents and the community, but how many heads of families have fallen undistinguished we must leave to the prying eye; and the relieveng-hand of charity to find out; and we doubt not but her benign influence once exerted, will quickly penetrate the most retired recesses of the wretched, and wipe away the tears of the mourning widow, and the weeping orphan.

FROM THE MASSACHUSETTS SPY.

The following may be depended upon as a genuine extract of the letter from Lord Dartmouth to the Governor of Rhode-Island, dated Whitehall, Sept. 4, 1772.

THE particulars of that atrocious proceeding, (referring to the burning the Gaspee schooner) have by the King's command been examined, and considered with the greatest attention; and although there are some circumstances attending it, in regard to the robbery and plunder of the vessel, which separately considered, might bring it within the description of an act of piracy; yet in the obvious view of the whole transaction, and taking all the circumstances together, the offence is in the opinion of the law-servants of the crown, who have been consulted upon that question, of a much deeper dye, and is considered in no other light, than as an act of high treason, viz. levying war against the King.

And in order that you may have all proper advice and assistance in a matter of so great importance, his Majesty has thought fit, with the advice of his privy council, to issue his royal commission, under the great seal of Great Britain, nominating yourself, and the chief justices of New-York, New-Jersey, and the Massachusetts Bay, together with the judge of the Vice-Admiralty court established at Boston, to be his Majesty's commissioners for enquiring into and making report to his Majesty of all the circumstances relative to the attacking, plun-